The Principle of Migratory Non-Harm:

National Social Priority as a Paretian Clause

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Abstract

Immigration is often analyzed in aggregate terms: GDP growth, expansion of the active population, demographic support, availability of labor, or the dynamization of certain economic sectors. However, this approach conceals a decisive issue: its effects are not distributed homogeneously within the receiving society. Some groups may clearly benefit from mass immigration, while others may bear economic, residential, cultural, labor, or political costs.

This paper argues that a migration policy cannot be considered legitimate merely because it generates aggregate benefits if those benefits are obtained at the expense of the deterioration of the national popular classes. Against the utilitarian logic of the net balance, it proposes a principle of migratory non-harm: immigration should only be admitted when it does not worsen the position of any vulnerable group in the receiving society and, in its more demanding version, when it allows all relevant groups to benefit, even if unequally.

From this perspective, it may be legitimate to modulate the benefit received by the immigrant -for example, through gradual access to welfare benefits, reinforced contributory obligations, or temporary restrictions on full political rights- if this is necessary to ensure that the national poor do not become the losers of migratory openness.

Tags: immigration, distributive justice, Pareto, national priority, popular classes, migration policy, social protection.

> Central thesis: immigration should not be accepted as a policy of aggregate improvement if it turns the national popular classes into net losers.
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> The only fully legitimate immigration is that which respects a strict Paretian clause: no vulnerable person should be made worse off and, as far as possible, all affected groups should improve.

1. Statement of the Problem

Public debate on immigration often becomes trapped in a false alternative. On the one hand, immigration is said to be beneficial because it increases the size of the economy, brings in workers, offsets demographic ageing, or fills jobs that the national population does not want to occupy. On the other hand, immigration is said to be harmful because it puts pressure on wages, makes housing more expensive, strains public services, or alters the cultural continuity of the political community.

Both positions may be partly true and, at the same time, insufficient. The problem is not only to determine whether immigration “benefits” or “harms” a society in the abstract. Society is not a homogeneous block. It is made up of classes, neighborhoods, economic sectors, generations, territories, and groups with very different capacities to absorb costs or capture benefits.

Therefore, the central question should not be only how much the whole gains or loses, but who gains, who loses, and on whom the costs of migration policy are imposed.

Mass immigration may benefit employers who gain access to cheaper labor, property owners who obtain higher real-estate rents, affluent consumers who enjoy certain services at lower prices, or political elites that expand their demographic and electoral base. But the same immigration may harm low-skilled workers, young people without assets, families competing for housing, users of saturated public services, fragile linguistic communities, or working-class neighborhoods undergoing accelerated transformation.

Consequently, it is not enough to claim that immigration produces an aggregate improvement. An aggregate improvement may conceal a regressive transfer: some sectors capture private benefits while others bear social costs. GDP growth does not prove justice if the concrete result is that the upper classes gain flexibility, employers reduce costs, rentiers capture more rents, and the lower classes lose relative wages, residential access, community peace, or institutional priority.

The thesis of this paper is that those most harmed by immigration should not be harmed. And, if there is a risk that they may be harmed, there must be a sufficient margin of safety to prevent their situation from worsening. Migration policy cannot use the national poor as its adjustment variable.

The most demanding formulation of the principle is not merely to state that immigration should not harm anyone. It is to maintain that, if a society accepts immigration, it must be organized so that all relevant groups benefit, even if to different degrees. Immigration should not be a policy in which some gain a great deal, others gain a little, and the most vulnerable lose. The minimum condition of legitimacy should be that no one is made worse off; the strong condition is that everyone improves.

Ultimately, this is a normative application of the conclusions obtained in the paper Static and Dynamic Distributive Model of Immigration: the Class Curve.

2. Immigration as a Distributive Phenomenon

Immigration is not merely a movement of people. It is also a mechanism for redistributing costs and benefits. It redistributes labor pressure, residential demand, access to public services, cultural power, electoral weight, and demographic composition. For that reason, it must be analyzed as a complete economic-political phenomenon.

When a new population enters a society, not all agents are affected in the same way. The upper class may experience immigration as the availability of services, lower labor costs, expansion of consumption, an increase in the price of real-estate assets, or market enlargement. For that class, immigration may appear as dynamism, diversity, modernization, or growth.

The middle class may experience an ambivalent situation. It may benefit from some cheaper services or from certain effects of economic dynamization, but it may also suffer professional competition, fiscal pressure, urban congestion, residential inflation, or deterioration of institutional quality.

The lower class, by contrast, is usually much more exposed. It competes directly in lower-skilled labor markets, in affordable housing, in public schools, in public healthcare, in social assistance, in neighborhoods with less adaptive capacity, and in spaces where everyday coexistence cannot be bought or outsourced. Costs that are abstract or symbolic for the upper classes may be material and immediate for the lower classes.

This difference is decisive. Mass immigration may be defended by those who do not bear its main costs. It may be moralized by those who live in protected neighborhoods, work in less exposed sectors, hold real-estate assets, or can choose schools, health insurance, residential mobility, and social environments. Openness may be celebrated from insulated positions, while its real tensions fall on those with less margin for exit.

Therefore, a just migration policy cannot be evaluated from the standpoint of the net beneficiary, but from the standpoint of the potential loser. The question is not whether someone gains from immigration. The question is whether that gain is obtained at the expense of a third party who has not consented to that loss and who, moreover, usually has less capacity to defend himself.

3. From Aggregate Balance to the Paretian Criterion

Utilitarian reasoning tends to justify a policy if the total sum of benefits exceeds the total sum of costs. Under that scheme, immigration that increases GDP or improves certain macroeconomic indicators could be considered positive even if some groups were made worse off. The loss of poor workers would be absorbed by the gain of employers, consumers, or rentiers.

But this approach is morally insufficient. A political society cannot treat part of its members as collateral cost for an aggregate improvement. If a public policy improves the position of some agents at the expense of worsening the position of others, especially the most vulnerable, it cannot be considered just without real mechanisms of compensation.

A Paretian reading is useful here. An improvement is properly acceptable when someone improves without anyone being made worse off. If the improvement of some requires the deterioration of others, it ceases to be an undisputed social improvement and becomes a redistribution. It may or may not be defensible, but it must be recognized as such. In the migration case, many open-door policies function precisely as concealed redistribution: they transfer welfare from workers, neighborhoods, and public services toward firms, solvent consumers, and property owners.

Hence the principle of migratory non-harm: no migration policy should be considered legitimate if it improves the position of employers, consumers, rentiers, or political elites at the expense of deteriorating the economic, residential, cultural, or political position of the national popular classes.

This principle does not require denying every migratory movement. It requires that immigration not be imposed on the weakest sectors of the receiving society as a compulsory sacrifice. If there is a benefit, it must be distributed so that no one is left worse off. And if there is a cost, it must not be imposed on those who already had fewer resources.

Immigration cannot be a policy through which some import benefits while others receive the consequences. Its legitimacy requires a Paretian clause: at a minimum, no vulnerable person should be made worse off; in its strong version, all relevant groups must improve, even if not in the same proportion.

4. The Margin-of-Safety Clause

It is not enough for immigration not to produce evident harm once the harm has already occurred. There must be a prior margin of safety. The burden of proof should not fall on the harmed parties, forcing them to prove afterward that they have lost wages, access to housing, school quality, or community cohesion. The burden of proof should fall on those who promote migratory openness.

The appropriate principle would be the following: when there is reasonable doubt about the impact of a migration policy on the national popular classes, a margin of safety must be applied in their favor.

This margin of safety means that the receiving society is not obliged to assume structural risks in order to benefit third parties, nor to accept gradual deterioration in the name of aggregate benefits. If a policy may put pressure on low wages, it must be stopped or compensated before the deterioration becomes irreversible. If it may saturate housing, healthcare, schools, or welfare benefits, it must be limited before the cost materializes. If it may alter the linguistic, cultural, or political balance of a national community, it must be subject to strict conditions of incorporation.

Protecting the national vulnerable is not xenophobia. It is an elementary requirement of political justice. Every political community has a primary obligation toward those who already belong to it, especially toward those who are in the worst position. If migration policy requires the national poor to absorb more competition, more residential pressure, longer healthcare waits, more school congestion, or more economic insecurity, then that policy is failing in its basic function.

Those most harmed do not have to be harmed. And if they are the most exposed, precisely for that reason they should be the most protected.

5. Social Protectionism Against the Importation of Labor

If immigration functions in part as the importation of labor, then it may be legitimate to apply instruments analogous to those used to protect productive sectors against imports of goods. In international trade, tariffs, quotas, safeguard clauses, rules of origin, strategic restrictions, or anti-dumping measures are accepted. The logic is simple: unlimited openness can destroy internal productive fabric if it permits external competition under unequal conditions.

The same logic can be applied to the labor market. If a company hires immigrant labor because it is cheaper, more vulnerable, more available, or less demanding, it cannot shift the social costs of that decision onto the community as a whole. If that hiring puts pressure on wages, increases demand for benefits, generates a need for public housing, schooling, healthcare, security, or

integration, then the company should not privately appropriate the benefit and socialize the cost.

Hence the proposal for a social tariff on the importation of labor. It would not be a matter of punishing the immigrant, but of preventing certain economic actors from using immigration as a mechanism for reducing labor costs at the expense of the receiving society.

This social tariff could take several forms:

- Additional social-security contributions for companies that hire newly arrived foreign workers, especially in sectors where there is national unemployment or downward wage pressure.
- Territorial compensation funds, financed by the sectors that benefit from immigration and directed toward neighborhoods, schools, healthcare centers, and municipalities that bear greater demographic pressure.
- Impact fees on housing and public services, applicable to employers or labor-intensive sectors when the arrival of workers increases demand for public resources.
- National labor-priority clauses, especially in low-skilled jobs where direct competition may deteriorate the wages or conditions of native workers.
- Periodic distributive-impact assessments, not merely macroeconomic ones, to measure who gains and who loses from each migration policy.

The central idea is that immigration cannot be free for those who benefit from it if it is not free for those who bear its consequences. If a migration policy generates costs of integration, housing, healthcare, education, or social cohesion, those costs must be assigned primarily to the economic beneficiaries of openness, not to the national poor.

6. National Social Priority and Public Benefits

One of the most delicate points is access to public benefits. The thesis here must be formulated precisely. Every person must be guaranteed basic human rights: life, integrity, urgent care, protection against abuse, minimum conditions of dignity, and administrative legality. But this does not imply that every newcomer must immediately and equally access all non-contributory social rights, especially when those resources are scarce and access to them may harm the poorer sectors of the national population.

A political society has limited resources. Social housing is limited. Non-contributory benefits are limited. School, healthcare, and social-assistance capacity are also limited. If immediate and equal access for newly arrived populations worsens the position of the national poor, then we are not dealing with a neutral policy, but with a reassignment of priority.

It may be legitimate to establish national social priority in certain non-contributory benefits, provided that humanitarian minimums and fundamental rights are respected. This priority should not be understood as contempt for the immigrant, but as recognition of a primary political obligation: the state exists, first of all, to protect its political community, and especially its most vulnerable members.

Moreover, an often omitted element should be recalled: those who emigrate usually do so because they expect to improve relative to their situation of origin. If an immigrant clearly

improves his or her life position by moving, it is not necessarily unjust for access to certain non-contributory benefits to be more gradual or conditional, when that difference prevents the situation of the national poor from worsening.

The injustice does not lie in establishing reasonable differentiated conditions. The injustice would lie in requiring the national poor to give up residential, welfare, or social priority in the name of an openness whose benefits are captured by others. If the real alternative is that the immigrant improves somewhat less while the national poor are not made worse off, or that the immigrant improves more while the national poor are made worse off, the principle of non-harm requires the first option.

This can be formulated as follows: social policy must not use the national poor as the moral adjustment variable of migration policy.

External solidarity cannot be financed through the deterioration of those who already occupy the lowest positions within the receiving society. Migratory openness is legitimate only if it is organized so as not to degrade the material, institutional, and symbolic conditions of those groups.

7. Non-Maximal Migratory Benefit and Compatible Justice

National social priority does not imply that the immigrant cannot improve. It implies that his or her improvement must not be maximized at the expense of deteriorating vulnerable third parties within the receiving society. The immigrant may benefit from entry, employment, security, better institutions, or a standard of living higher than that of the country of origin. But that benefit may be legitimately modulated when the margin of additional improvement would fall as a cost on the national poor.

The rule of compatible justice would be clear: if the immigrant improves greatly and the national poor are made worse off, the policy is unjust. If the immigrant improves somewhat less and the national poor are not made worse off, the policy is more just. And if the immigrant improves, the employer does not capture an excessive rent, and the national poor also improve, then the policy approaches a strong Paretian improvement.

Migration justice does not require maximizing the benefit of the newcomer. It requires organizing openness so that the newcomer's benefit is compatible with the protection of the receiving community, especially with the protection of its weakest members. The fact that a person decides to emigrate because he or she improves relative to the situation of origin allows gradual, contributory, or differential conditions to be established without that being unjust in itself. What would be unjust is for that improvement to be financed through the social deterioration of those who were already vulnerable within the receiving country.

Thus, national social priority acts as a Paretian clause: it permits immigration if no vulnerable person is made worse off and requires corrective instruments if there is a risk of harm. The goal is not an immediate and abstract equality of all benefits, but an ordered compatibility of improvements, in which all relevant groups may be better off than before or, at least, none of the vulnerable are left worse off.

8. Political Rights, Belonging, and Contribution

A distinction must also be made between residence, basic protection, and full political belonging. A person may receive dignified treatment, elementary legal protection, and the possibility of working without this implying immediate access to citizenship, the vote, or all political rights of the receiving community.

Political rights are not a mere administrative benefit. They are participation in sovereignty. They allow decisions to be made on laws, the budget, institutional identity, language policy, foreign orientation, and the demographic future of the community. Therefore, their granting cannot be treated as an automatic consequence of physical presence in the territory.

Full citizenship should require sufficiently accredited integration: prolonged residence, reasonable economic autonomy, fiscal contribution, linguistic knowledge, absence of structural dependence on the state, respect for the legal order, and commitment to the continuity of the political community. The point is not to deny basic rights, but to recognize that full participation in political power requires something more than having arrived.

This thesis is especially important when immigration modifies demographic and electoral balances. If a political community rapidly incorporates large masses of new population with full political rights, it may irreversibly alter the collective will of its previous members. In that case, immigration ceases to be merely a labor or humanitarian phenomenon and becomes a transformation of the sovereign subject.

For this reason, access to political rights must be subject to a clause of effective belonging. The political community has the right to require that anyone who participates fully in its decisions has contributed sufficiently, stably, and verifiably to its welfare and continuity.

9. The Social Pyramid of Mass Immigration

Mass immigration can be represented as an inverted social pyramid of benefits and costs.

At the top are the most protected beneficiaries: large companies, labor-intensive sectors, real-estate rentiers, consumers of personal services, political elites, and cultural strata that convert openness into symbolic capital. These groups may defend immigration as a positive phenomenon because they capture relatively immediate benefits and externalize much of the costs.

In the middle are ambivalent groups: urban middle classes, partially exposed professionals, qualified young people without assets, small business owners, and public-service officials. They may benefit in some respects and be harmed in others.

At the base are those who bear the most direct impact: low-skilled workers, poor young people, tenants, intensive users of public services, peripheral neighborhoods, fragile linguistic communities, and national sectors with less exit capacity. They have less margin to avoid labor competition, residential pressure, or the transformation of their everyday environment.

This pyramidal structure shows that mass immigration cannot be legitimized from the perspective of those at the top. A just evaluation must begin from the base. If the base

deteriorates, it is not enough for the top to gain. If the national poor are made worse off, the aggregate balance ceases to be morally conclusive.

The essential political question is: can a policy be defended as just when its main benefits are captured by strong groups and its main costs fall on weak groups?

The answer must be negative. And if immigration is not to be closed completely, sufficiently strong corrective mechanisms must be introduced so that vulnerable groups are not sacrificed.

10. Against the Abstract Moralization of Openness

Part of the discourse favorable to mass immigration rests on an abstract moralization: all human beings are equal, no one deserves worse treatment for having been born elsewhere, borders are arbitrary, solidarity must be universal. These claims may have moral force on an abstract plane, but they are insufficient to organize a concrete political community.

People do not live in an undifferentiated humanity. They live in families, neighborhoods, municipalities, nations, states, languages, institutions, and specific fiscal systems. Public resources do not exist in the abstract; they are produced, financed, and sustained by concrete historical communities. Universal moral equality does not eliminate the political priority of the constituted community or the special obligation toward its most vulnerable members.

The error of abstract moralization consists in presenting any migration restriction as selfishness, discrimination, or lack of solidarity, without analyzing who really pays the cost of openness. But openness is not paid for equally by all members of the receiving society. It is paid for more by those with the least capacity to escape its effects.

Therefore, the defense of limits, priorities, and conditions should not be understood as a denial of human dignity. It should be understood as the defense of situated, concrete, and responsible justice. There is no real justice if the newcomer is protected by deteriorating the national poor. There is no legitimate solidarity if the cost is imposed on those who were already in a vulnerable position. There is no acceptable moral universalism if, in practice, it functions as abandonment of one's own weak.

11. Acceptable Immigration and Regressive Immigration

Not all immigration has the same meaning. There can be limited, qualified immigration compatible with the country's absorption capacity, fiscally positive, culturally integrable, and socially non-harmful. That type of immigration may be acceptable if it does not worsen the position of vulnerable national groups.

The problem arises when immigration is massive, accelerated, labor-substitutive, residentially inflationary, fiscally costly, culturally destabilizing, or politically transformative. In that case, it is not enough to invoke abstract benefits. The principle of non-harm must be applied.

Two ideal types can therefore be distinguished:

Compatible immigration: immigration that does not deteriorate low wages, does not displace the national poor in access to housing or benefits, does not saturate public services, does not irreversibly alter cultural continuity, and contributes net positively to the common good.

Regressive immigration: immigration that generates benefits for companies, rentiers, affluent consumers, or political elites, but shifts costs onto poor workers, working-class neighborhoods, public services, and vulnerable national communities.

The first may be defensible. The second must be rejected or subjected to strict conditions of compensation, limitation, and national priority.

12. Institutional Proposal

A migration policy based on the principle of non-harm should include at least seven elements.

First, a prior distributive-impact assessment. It is not enough to measure GDP, aggregate employment, or tax revenue. The effect on low wages, rents, social housing, waiting lists, public schools, vulnerable neighborhoods, security, linguistic cohesion, and social mobility of the national poor must be measured.

Second, an automatic suspension or limitation clause. If certain indicators show deterioration among the national popular classes, migratory entry must be reduced or halted until the margin of safety is recovered.

Third, a social tariff on the importation of labor. Companies that benefit from immigrant workers in sensitive sectors must contribute additionally to financing the costs of integration, housing, training, healthcare, and public services.

Fourth, national priority in certain scarce non-contributory benefits. Newcomers' access to non-essential benefits may be gradual, conditional, or subordinated to criteria of residence, contribution, and non-harm to the national poor.

Fifth, demanding citizenship. Full political rights must be linked to effective belonging, prolonged residence, fiscal contribution, linguistic integration, and institutional commitment.

Sixth, territorial protection for receiving neighborhoods and municipalities. Areas that bear greater migratory pressure must receive reinforced funding, concentration limits, planning instruments, and the capacity for veto or modulation.

Seventh, responsibility of the beneficiaries. Whoever benefits economically from immigration must assume a proportional share of its costs. There can be no privatization of benefit and socialization of cost.

13. Conclusion

Immigration cannot be analyzed solely from the standpoint of the aggregate balance. A society does not gain simply because some of its sectors gain a great deal if other sectors lose. Still less if those who lose are precisely the most vulnerable.

The thesis defended here is simple: those most harmed by immigration should not be harmed. If immigration produces benefits, those benefits must not be obtained at the expense of poor workers, tenants, working-class neighborhoods, users of public services, or fragile national communities. If there is a risk of harm, a sufficient margin of safety must be applied. And if that margin requires limiting entries, imposing additional contributions, establishing national priority in scarce benefits, or delaying access to full political rights, those measures may be fully legitimate.

Immigration must not become a regressive transfer from the national poor toward employers, rentiers, affluent consumers, and political elites. Nor should universalist morality be used to impose on popular sectors costs that the upper classes do not bear. A just migration policy must begin from an elementary rule: no openness is legitimate if it leaves worse off those whom the political community had the greatest obligation to protect.

The principle of migratory non-harm does not deny the dignity of the immigrant. It denies that this dignity can be used as an argument to deteriorate the position of the national poor. External solidarity cannot be financed through internal abandonment. Openness is acceptable only when it does not destroy the material, social, and political floor of those who were already below.

For this reason, migration policy must stop asking only how many benefits it produces and start asking who receives them, who pays for them, and what margin of safety remains for the most vulnerable. Where costs fall on the poor and benefits rise upward, there is no migration justice. There is concealed regressive redistribution.

The minimum normative boundary should be clear: no one should improve through a migration policy that worsens the condition of a vulnerable third party. And if that third party is the national popular class, the obligation of protection must prevail.

The strong formulation adds an additional criterion: if immigration exists, it should not be designed to maximize the benefit of some, but to produce a compatible improvement for all. The immigrant may improve because he or she comes from a worse situation; the employer may benefit if he internalizes his costs; the country may gain if it does not deteriorate its social base. But the improvement of one cannot rest on the loss of another. That is the core of national social priority as a Paretian clause.

Author's Note

This text forms part of a line of work on immigration, social classes, mass urbanization, and the internal distribution of costs and benefits within receiving societies.